



MINUTES OF THE PROTECTION AND POLICY COMMITTEE

**MONDAY, NOVEMBER 26, 2018, 5:30 PM
CITY HALL, ROOM 207**

A. ROLL CALL.

Present: Craig Stevens, Randy Scannell, Mark Steuer, John VanderLeest, Excused:

B. APPROVAL OF THE AGENDA.

I. Approval of the agenda for the November 26, 2018 Protection & Policy meeting.

Moved by Ald. John VanderLeest, seconded by Ald. Mark Steuer to approve the agenda for the November 26, 2018 Protection & Policy meeting. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

C. APPROVAL OF MINUTES.

I. Approval of the minutes for the October 22, 2018 Protection & Policy meeting.

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to approve the minutes of the October 22, 2018 Protection & Policy meeting. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

D. REGULAR BUSINESS.

I. Consideration with possible action on a change of agent for Cropsey's on State LLC, with an effective date of January 1, 2019.

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to approve the change of agent for

Cropsey's on State LLC, with an effective date of January 1, 2019. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

2. Consideration with possible action on an application for a "Class A" Liquor license for Monzu Bistro, LLC at 126 S. Broadway.

Moved by Ald. Mark Steuer, seconded by Ald. John VanderLeest to approve the application for a "Class A" Liquor license for Monzu Bistro, LLC at 126 S. Broadway, with the approval of the proper authorities. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

3. Consideration with possible action on a an application for a "Class A" Liquor License by Singhs C Store 2 Inc. at 952 W. Mason St. (Currently has a Class "A" Beverage License).

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to approve the application for a "Class A" Liquor License by Singhs C Store 2 Inc. at 952 W. Mason St., with the approval of the proper authorities. (Currently has a Class "A" Beverage License) Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

4. Consideration with possible action on an application for an available "Class B" Combination License by Ricci L Bosley for Pepper at 114 S. Broadway, with a licensed description as "behind the bar, in the dry & locked storage closet by the restroom or in the basement."

Moved by Ald. Mark Steuer, seconded by Ald. John VanderLeest to approve an application for an available "Class B" Combination License by Ricci L Bosley for Pepper at 114 S. Broadway, with a licensed description as "behind the bar, in the dry & locked storage closet by the restroom or in the basement," with the approval of the proper authorities. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

5. Discussion with possible action on General Ordinance No. 29-18, an ordinance creating section 33.08(7)(i), Green Bay Municipal Code, relating to on line ordering and curbside pickup of alcohol beverages.

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to open the floor for discussion. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

Moved by Ald. Mark Steuer, seconded by Ald. John VanderLeest to close the floor for discussion. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to approve General Ordinance No. 29-18, an ordinance creating section 33.08(7)(i), Green Bay Municipal Code, relating to on line ordering and curbside pickup of alcohol beverages. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

6. Consideration with possible action on a request by Ald. Scannell that the Advisory Committee items be placed on the Protection and Policy committee agendas, previously held at the Oct. 22 Protection & Policy meeting.

Moved by Ald. Randy Scannell, seconded by Ald. John VanderLeest to receive and place on file a request by Ald. Scannell that the Advisory Committee items be placed on the Protection and Policy committee agendas, previously held at the Oct. 22 Protection & Policy meeting. Motion carried.
Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

7. Discussion on a request by Ald. Wery stating "review with possible action on ordinance 27.203 regulation of noise for the purpose of amending with weekend hours (New daytime :09:00-20:00)."

Moved by Ald. John VanderLeest, seconded by Ald. Mark Steuer to hold a request by Ald. Wery stating "review with possible action on ordinance 27.203 regulation of noise for the purpose of amending with weekend hours (New daytime :09:00-20:00)." Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

8. Consideration with possible action on a request by Ald. Wery for a complete update on rat abatement and rat activity 2018 vs. 2017.

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to receive and place on file a request by Ald. Wery for a complete update on rat abatement and rat activity 2018 vs. 2017. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

E. INFORMATIONAL.

I. Liquor Violation Report from the Police Department for November 26, 2018.

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to receive and place on file the Liquor Violation Report from the Police Department for November 26, 2018. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

F. ADJOURNMENT.

Moved by Ald. Mark Steuer, seconded by Ald. Craig Stevens to adjourn at 5:55 p.m. Motion carried.

Yes- Craig Stevens, John VanderLeest, Mark Steuer, Randy Scannell, No- None, Abstain- None

VERBATIM MINUTES

- We're good.

- We're good?

- The Protection and Policy Committee meeting for November 26, 2018 is hereby in session. I'll take a motion to approve our agenda.

- Motion to approve the agenda.

- Should we have roll call first?

- Yeah, well, I sholud've, I jumped a little bit, alright. Why don't we back up a minute. My screen jumped on me. Roll call, let's see who's all here. Is Alder Stevens here?

- Yes.

- Is Alder Vander Leest here?

- Present.

- I'd Alder Steuer here?

- Present and accounted for.

- Alder Scannell is here. Now, I'll take a motion to approve the agenda.

- Motion to approve the agenda.

- By Alder.

- Second.

- Vander Leest, second by Alder Steuer. All in favor?

- Aye.

- Opposed? We have our agenda for the evening. I'll take a motion to approve the minutes.

- Oh no, one moment, sorry.

- Oh, I'm sorry.

- My computer's a little slow.

- I'm sorry.

- You're excited.

- You take a little time off and it's just, you know, you lose it all, gotta get back in the swing.

- All right.

- All right. Take a motion to approve the minutes for October 22, 2018 Protection and Policy meeting.

- Move to approve the minutes.

- Second.

- Motion by Alder Vander Leest, second by Alder Stevens. All in favor?

- Aye.

- Opposed? We got our minutes from our last meeting have been approved. Around to Regular Business.

- Yep.

- Consideration with possible action on a change of agent for Cropsey's on State LLC, with an effective date of January 1, 2019. Staff?

- Law Department has no objections. We do just want to note that the change of agent applicant did have two OWIs in 2006. However, there are no concerns substantially related due to how much time has passed. And, in addition, the applicant did disclose these offenses in their application, so no objection.

- Okay.

- Police concur.

- Excellent.

- Motion to approve.

- Motion to approve by Alder Vander Leest second by Alder Stevens. All in favor?

- Aye.

- Opposed? That passes, and before I go any further let me make sure everyone is aware that what we do here at Committee, is just a recommendation to Council, nothing is final here. It goes to Council next Tuesday, seven o'clock, room next door and that's when everything becomes final.

- December 5th, right? A week from tomorrow?

- Yep, a week from tomorrow.

- Yes.

- So now on to number two. Consideration with possible action on an application for a Class A Liquor license for Monzu Bistro, LLC at 126 South Broadway. Staff?

- Law Department has no objections.

- We concur.

- Motion to accept.

- To approve.

- Motion to approve by Alder Steuer. Second by Alder Vander Leest. All in favor?

- Aye.

- Opposed? That passes unanimously. Item number three. Consideration with possible action on an application for a Class A Liquor License by Singhs C Store 2 Inc. at 952 West Mason Street. Currently has a Class A Beverage License. Staff?

- Law Department has no objections.

- Police concur.

- Motion to accept, to approve.

- Motion to approve by Alder Steuer.

- Second.

- Second by Alder Stevens. All in favor?

- Aye.

- Opposed? Okay, that passes unanimously. It will be happening again next Tuesday, not this Tuesday, the following, at Council. On to four. Consideration with possible action on an application for an available Class B Combination License by Ricci L. Bosley for Pepper at 114 South Broadway, with a licensed description as "behind the bar, in the dry & locked storage closet "by the restroom or in the basement." Does that really mean anything?

- It's just the premise description that's included on the license.

- Oh, okay. And staff?

- As to where liquor is gonna be stored. Staff has no objection.

- Police concur.

- We did wanna note, I'm sorry, I skipped over this. The establishment is in the Broadway Moratorium but they're going to be a restaurant so they need the stated exception in the resolution.

- Yep.

- Motion to approve.

- Motion to approve by Alder Steuer, seconded by Alder Vander Leest. All in favor?

- Aye.

- Opposed? That passes unanimously.

- Okay.

- Number five. Discussion with possible action on General Ordinance Number 29-18, an ordinance creating section 33.08, Green Bay Municipal Code, relating to on line ordering and curbside pickup of alcohol beverages. Staff?

- This ordinance was brought back per the Committee's direction. It's the same proposed ordinance that was previously discussed by the Committee and Council. Provisions are, essentially, set up to ensure that retailers will adhere to requirements under state statutes regarding alcohol sales.

- We concur with Law.

- This came back because, well, as I remember how this all went down. Who came forward, I guess Walmart?

- Initially Walmart.

- Walmart, but.

- Then Staff proposed that if this Council was going to approve this type of activity that the League of Wisconsin Municipalities recommended that an ordinance be in place to better regulate that type of activity. So we drafted an ordinance based on Madison's ordinance that they currently have in place. And then, that was brought forth to Committee. Committee did pass it, however, upon further discussion and debate at Council it was rejected.

- Rejected.

- However, no representative of Walmart was available at that point to support that ordinance. Then Festival, recently, came forward requesting the same type of activity and gave a little bit more detail to the Committee as far as what their plan was, which sounded like it would fall in line, actually, a little bit stricter than what our ordinance was going to require. And, I think, there is a representative here from Festival to speak and answer any questions. I think they were going to plan on attending Council as well to be able to answer questions to the full Council regarding the proposed activity.

- Want them on internet.

- Well, so.

- I'll make a motion to open the floor.

- Motion to open the floor by Alder Steuer. Second by Alder Stevens. All in favor?

- Aye.

- Opposed? Okay, the floor is now open. Is there anybody here who would care to speak on this subject.

- Sure, I would.

- Please, if you need to fill out the form that are right up.

- Yes, he has one.

- Okay, ten just state your name and address.

- [Bill] Sure, I'm Bill Story. I live at 3650 Copper Oaks Circle, in Green Bay, Wisconsin. I'm the Director of Wine and Spirits at Festival Foods. This is something that, obviously, is a little bit new to Festival but we're getting our feet wet. The Click and Collect is, kind of the way the industry is going. It's, for Festival Foods, it's a premium. Your first three Click and Collects are free but after that it 6.95. This gives us the ability to sell wine and spirits to that guest that really wants to add a bottle of wine or a spirit for their holiday party.

- Do you see much online ordering of groceries and stuff now, is that starting to?

- [Bill] Yeah, it is starting to pick up and my wife uses it. We have three kids at home, one is one year old and hates getting in and out of the car seat, of course, just screams and fits. So, that's really who this is intended for. It's a convenience for that guest. That way they don't have to go in the store. We bring the groceries out to them out to their vehicles. Load it up for them. They pay online right away and then we bring it out for them. It's definitely, it's trending, obviously. Amazon kind of kick started everything and now the brick and mortars are jumping on too.

- Thank you sir.

- Thank you Mr. Story for coming in. I think one of the concerns we had originally was that the fact, you know, alcohol, you know, being dispersed, if you will, this way. I think what swayed some of us toward the end was the fact that it is a bit of, it's for convenience sake and the fact is that it's trending in the grocery industry that way. Do you feel that if you didn't have this what kind of a effect would that have on your business overall?

- [Bill] You know, initially here, it might not. We're trying to get ahead of the curve as this trend keeps occurring and keeps growing. So, maybe up front, not so much. But down the line, yeah, I do think, that eventually, here, would affect it.

- All right, I think that's all I have, thank you.

- Any other questions? Just one. So, when your wife orders online she puts your youngest in a drivers seat so he can clean ya out?

- [Bill] Yeah.

- Okay, thank you.

- Thank you.

- That's it.

- Is that it, okay, motion to close the floor.

- Motion to close the floor by Alder Steuer.

- Second.

- Second by Alder Vander Leest. All in favor?

- Aye.

- Opposed? Okay, what are you thinking gentlemen?

- Motion to approve.

- Motion to approve by Alder Vander Leest. Second by Alder Stevens. I was with it before I think. This is the future. I know there is some concerns, stated by some Alders that this will increase alcohol. But I don't think it's so much an increase in alcohol it's just a change in delivery. So, I don't think it really addresses any of our alcohol issues that we have. So, yeah, I'm all for it. All in favor?

- Aye.

- Opposed? Okay, that passes unanimously. Consideration with possible action on a request by Alder Scannell that the Advisory Committee items be placed on the Protection and Policy committee agendas, previously held at the October 22nd Protection & Policy meeting. I do have another question on this, but first, staff, is there anything on the old agenda for advisory?

- No, so when Council approved the adopted change from Protection and Welfare to Protection and Policy, the Advisory Committee was simultaneously removed and dissolved from our ordinance. It is staff's understanding that there were no outstanding agenda items that needed to be moved to P&P. At this point we would recommend to receive and place on file.

- Okay, I do, in looking up Alder Wery's issue with noise. I looked up and I took a chance, swung over. In our ordinance online, Advisory Committee is still listed.

- Right, so our Municode is still being updated. So we transferred, we migrated or are in the process of migrating from the old code law, which was just a PDF to that online, searchable Municode option. But we are also in the process of concodifying our entire ordinance of all of our ordinances. So Municode, there is a little bit of a lag with updates. So, the online version is not reflective of what the current adopted ordinances are. But we double-check in our

version of our code book that we have, like a hard copy or saved in our files on our server and that was adopted.

- Okay, so I see, that's why I went.

- Yeah, it's not updated on the website.

- Okay, good to know, okay. Well then, thank you. Then I'm gonna make a motion to receive and place on file.

- Second.

- Okay, motion by myself, second by Alder Vander Leest. All in favor?

- Aye.

- Opposed? And that passes unanimously.

- Okay.

- Consideration.

- Why is that, the number switch, that doesn't matter does it?

- No.

- No, it's eight on the, the number is eight on the hard copy agenda, but in Civic Clerk it's number seven, so it should be number seven. Which is the Rat Abatement item.

- So we're gonna go to seven, Rat Abatement?

- Yes.

- All right. Good catch.

- I just saw it.

- Okay, number seven. Discussion on a request by Alder Wery stating, "Review with possible action on ordinance "27.203 regulation of noise for the purpose "of amending with weekend hours ""

- Aren't we on the rat one?

- Yes.

- We're on the rat one.

- Yep.

- We're on the rat one.

- Oh, okay.

- The number seven.

- Just read that one.

- Yes.

- All right. Thank you. So, consideration with possible action on a request by Alder Wery for a complete update on Rat Abatement and rat activity 2018 versus 2017. Staff?

- You dirty rat.

- [Bill] Thanks for having me again, Bill Paape, Department of Community Economic Development. I'm the Housing and Zoning Enforcement Coordinator. A little bit of that explanation is in that packet I gave you. What you have in front of you, what I gave you is a breakdown of orders. Addresses that we address specific to rats. So, what that is is any order where we're sent out to a property where there was specific Rat Abatement orders that were made on that property. That's what those numbers show. So, for example on the form in front of you the year 2017 when the activity picked up, there was a lot of media coverage. There was a lot of complaints that we were receiving about rats. We sent out 166 orders, specific for Rat Abatement. This year, in 2018 so far, that number has gone down to 98. Some of the efforts and let me introduce Paul McAlister is our Chief Building Official here, he's here as well. As well as Cheryl Renier-Wigg, our Assistant Director. So if you have any questions for them as well, they're here as well. So, what we're doing different is, in 2018, is we initiated a lot of rat surveys at the request of the City Council. We inspected 804 properties for conditions specific for rats, so food, harborage, water sources. Any conditions that could attract rats or could allow for the infestation to grow or continue. Of that, of the 804 inspections, we have 98, so far, that we've sent out orders, specific for rats, in 2018. So, 41% drop from 2017 to 2018. We feel that if we continue with the education efforts and enforcement where necessary, we're gonna continue to see those numbers drop. Because people are understanding what's going on and what's happening and how they can help by eliminating the food sources and eliminating the harborage, they'll kind of reduce that. So, some examples of what we're finding are in your packet as well. I included some photos in there. A little bit about my role and how that has changed. I don't know if you want to explain them. Our department did a reorganization and part of that reorganization is my job duties

and responsibilities has changed. I went from the Community Investment Manager to the Housing and Zoning Enforcement Coordinator. With that, I have more of a focus on nuisance issues like this, so I can spend more time out in the field educating residents when necessary or handling enforcement issues when necessary when nuisances are created like our rat problem. Instead of the, that money that was allocated and it was \$5,000 that was allocated for that. So, we did not need to use that. We did not need to spend that because my duties, responsibilities took care of that educational aspect of that.

- Bonus?

- [Bill] No, my gift to you. In conclusion part, the extensive complaint follow-up in 2017 lead to a decline in our Rat Abatement orders in 2018. Even with our proactive rat sweeps initiated in 2018 we feel, like I said, the continued rat surveys sweeps and ongoing education with residents is just gonna further cause that to decline. So, the biggest thing is we need to educate our residents and constituents on what they need to do, why they're there. What things that they can do to prevent them and if they're there, how to handle them, how to take care of them.

- Sure, Bill thanks for this report. I'm just, a couple of questions. Last year was 166 cases, now it's down to 98. Are these uniquely different or were there some repeats from 2017?

- [Bill] I would have to look at, to go through data. But if you look at it on aerial map the general areas are very consistent 2017 to 2018. The areas where there are, primarily, all on the west side they kind of overlap in certain spots. It's kind of like the same segment where there may be moving a little bit. It's not that there's all over, it's just little pockets where the activity is. So, it could be one group of rodents that multiple people are seeing.

- Did you find that most folks were willing to work with inspection on this?

- Yes, absolutely. I would say 85 to 90% of our contacts they've taken care of right away. It was only 10 to 15% of our constituents where we had to take some kind of enforcement action. Whether that be reinspection fees. Whether it be a lot clean up. Whether it's garbage or if they didn't do any of those, small percentage where we actually had to physically go in and bait the rats or bait the rodents because the property owner just failed to do anything. So, that percentage was not very great but there were some.

- Well, I'm very happy that your office, your department's working on this. I think you're doing a great job. So appreciate it.

- Thank you.

- You also work with local businesses, restaurants and.

- [Bill] That is the Health Department.

- Ah, the Health Department. That's the county that handles that one?

- The county. It's my understanding, their jurisdiction falls with the business. I'm not sure how that handles the outside. We do get some complaints for like garbage and litter. Stuff, that power stuff storing on the outside of commercial properties and we would deal with that. As far as, if the complaint, like inside, like a business or restaurant. It's my understanding that the Health Department would handle that part.

- So it is a team effort then, as far as.

- [Bill] Yes.

- Try and eradicate the problem.

- [Bill] Yes, it's kind of, wherever the problem lies. That's another part of it is the food.

- That's it.

- Let's keep those rats a-movin'. Keep telling Ashwaubenon and Howard, here they come. Yep, thank you.

- Motion to receive and place on file.

- Motion to receive and place on file by Alder Steuer.

- Second.

- Second by Alder Stevens. All in favor?

- Aye.

- Opposed. That is received and placed on file. Now, discussion on a request by Alder Wery stating, "Review with possible action on "ordinance 27.203 regulation of noise "for the purpose of amending with weekend hours " Which, I believe would be eight o'clock. And when I said he left me a message and he said ten o'clock, so, I don't know.

- It would be 22:00 hours then.

- Yeah, so I don't know. I think we should just hold this until we can get more clarification from other Alder Wery. I'd also like more, not only from him, but also what effect this would have for any businesses or anything on the weekend. I don't know.

- Is that a typo or?

- I don't know, we'll have to let him clear it up.
- Motion to receive and place on file.
- Let's just hold it until.
- Motion to hold until he's here.
- Okay, motion to hold by Alder Vander Leest.
- I'll second.
- Second by Alder Steuer. All in favor.
- Aye.
- Opposed? That will be held for our next meeting.
- What's the date?
- When you're ready, it's okay.
- One quick thing before we move on to the violation report and before we move on to adjournment after that, I did wanna discuss the next meeting date. I just, before we jump straight into adjournment after the violation report.

- Okay, did you wanna do that right now?

- I'm thinking yeah, because there is no motion.

- Thank you.

- Actually, I wanted to do that before the meeting. So, the next Council meeting after this one, we're anticipating it being canceled, the one that's over Christmas. So then the next Council meeting would not be until January 15th. We wanted to know if the Committee would be okay in canceling the next P&P meeting in December and having the next one scheduled for January 7th, then that would report out on January 15th.

- Is that Monday?

- Right.

- Yes, it's a Monday. The schedule would be the same, it would be Monday at 5:30 but the next one would be the 7th.

- I guess the only thing is if there's anything pressing that would have to be looked at.

- Right.

- Otherwise, I'm fine.

- Yeah, I think, usually holidays are pretty slow anyway. I would think, yeah.

- It wouldn't be taken up.
- It wouldn't be taken up by Council.
- Anyway.
- Until the 15th of January.
- Yeah so.
- All right.
- We'd still be meeting before the next Council.
- In the past we've canceled that second P&P in December.
- Yep.
- All right.
- Okay sounds good, all right.
- Thank you for bringing that up.

- Sure. So, the Liquor Violation Report now please.
- January 7th would be our next meeting?
- So that would be January 7th then.
- January seventh, yes that would be, I think, it's the first Monday in January.
- Yeah.
- Okay.
- Informational, Liquor Violation report from the police department for November 26, 2018.
- We don't have any violations from October 22nd through November 26th.
- Good job.
- Everybody's behavin'.
- Yeah, well, it's a credit on our boys and gals in blue. Thank you.
- You're welcome.

- Motion to receive and place on file.
- Motion to receive and place on file by Alder Vander Leest.
- Second.
- Second by Alder Stevens. All in favor.
- Aye.
- Opposed? That passes unanimously.
- We're on to adjournment.
- Motion to adjourn.
- Motion to adjourn by Alder Steuer, seconded by Alder Stevens. All in favor?
- Aye.
- Opposed? Hee hee. Merry Christmas.
- Hey, thank you Randy.

- That went pretty fast.

- Yeah. Remember to log out now. To log out, you go here.